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May 29, 2024

Via ECFHon. Philip M. Halpern, U.S.D.J.
The Hon. Charles L. Brieant Jr. Federal Building and Courthouse
300 Quarropas St.
White Plains, NY 10601-4150Re: *Wolf, et al. v. Dolgen New York, LLC*
Case No.: 7:23-cv-00558-PMH

Dear Judge Halpern:

The Dann Law Firm and Milberg represent Plaintiffs Joseph Wolf, Carmen Wolf, and the putative class (collectively, the “Wolfs”) in the above referenced matter against Dolgen New York, LLC d/b/a Dolgen (“Dollar General”, the parties collectively, the “Parties”). In accordance with Section 1.C. of Your Honor’s Individual Practices, the Wolfs submit this letter-motion requesting a brief, one-week extension of both the Wolfs’ deadline to respond to Dollar General’s Rule 56.1 Statement of Facts, and in turn, Dollar General’s deadline to submit its pre-motion letter for summary judgment.

On May 16, 2024, Dollar General served the Wolfs with its Local Civil Rule 56.1 Statement of Material Facts, consisting of 182 paragraphs and 25 substantive pages, and declarations. Pursuant to Section 1.E.iv. of Your Honor’s Individual Practices, the Wolfs deadline to provide their responses is May 30, 2024. As noted in Dollar General’s April 29, 2024 correspondence, (D.E. 57), the Parties attended mediation on May 20, 2024 before the Honorable Morton Denlow. In an effort to curb attorneys’ fees and costs heading into the May 20, 2024 mediation, and in hopes that the matter would be resolved at mediation, the Wolfs held off on drafting their responsive statement. Unfortunately, the matter did not resolve at mediation, meaning that the Wolfs now must draft their response to Dollar General’s statement on a shortened timeframe. Between that, and between the May 27, 2024 Memorial Day holiday, the Wolfs require additional time to prepare their responsive statements and declarations. Accordingly, the Wolfs respectfully request that the deadline for them to serve Dollar General with their responsive statement of facts and declarations be extended to June 6, 2024, and in turn, that Dollar General’s deadline to file its pre-motion letter for summary judgment also be extended one week to June 7, 2024.

Dollar General consents to this request. This is the Wolfs’ first request to extend its deadline to respond to Dollar General’s Rule 56.1 Statement of Facts since receipt of the same, and this is the Parties’ second request to extend the deadline to file pre-motion letters for summary judgment. The Court granted in part and denied in part the Parties’ previous request to stay summary judgment deadlines. (D.E. 57).

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Respectfully submitted,

The Dann Law Firm, PC

/s/ Javier L. Merino

Javier L. Merino, Esq.

Counsel for Plaintiffs and the Putative Class

Cc: All Counsel of Record (via ECF)